

Universities to comply with free speech duties or face sanctions

A historic bill introduced in Parliament today (12 May) will strengthen the legal duties on higher education providers in England to protect freedom of speech on campuses up and down the country, for students, academics and visiting speakers.

The Higher Education (Freedom of Speech) Bill will bring in new measures that will require universities and colleges registered with the Office for Students to defend free speech and help stamp out unlawful 'silencing'.

For the first time, these legal duties will also be extended to students' unions, which, under the measures in the Bill, will have to take reasonably practicable steps to ensure lawful freedom of speech.

This delivers on a manifesto commitment to strengthen academic freedom and free speech in higher education and will help protect the reputation of our universities as centres of academic freedom. Universities, colleges and students' unions that breach these duties may face sanctions, including fines.

Education Secretary Gavin Williamson said:

It is a basic human right to be able to express ourselves freely and take part in rigorous debate. Our legal system allows us to articulate views which others may disagree with as long as they don't meet the threshold of hate speech or inciting violence. This must be defended, nowhere more so than within our world-renowned universities.

Holding universities to account on the importance of freedom of speech in higher education is a milestone moment in fulfilling our manifesto commitment, protecting the rights of students and academics, and countering the chilling effect of censorship on campus once and for all.

A new Director for Freedom of Speech and Academic Freedom will sit on the board of the Office for Students, with responsibility for investigations of breaches of the new freedom of speech duties, including a new complaints scheme for students, staff and visiting speakers who have suffered loss due to a breach.

The Bill comes in light of examples of a 'chilling effect' on students, staff and invited speakers feeling unable to speak out. In one incident, Bristol Middle East Forum was charged almost £500 in security costs to invite the Israeli Ambassador to speak at an event.

In another example, over one hundred academics signed a letter expressing public opposition to Professor Nigel Biggar's research project 'Ethics and Empire', because he had said that British people should have 'pride as well as shame' in the Empire.

Registered higher education providers in England will have extended legal duties not only to take steps to secure freedom of speech and academic freedom, but also to promote these important values.

Universities Minister Michelle Donelan said:

The values of freedom of speech and academic freedom are a huge part of what makes our higher education system so well respected around the world.

Which is why this government will tackle head on the growing chilling effect on our campuses which is silencing and censoring students, academics and visiting speakers.

This Bill will ensure universities not only protect free speech but promote it too. After all how can we expect society to progress or for opinions to modernise unless we can challenge the status quo?

The government has been clear throughout that it is important to distinguish between lawful, if offensive, views on one hand and unacceptable acts of abuse, intimidation, and violence on the other.

Higher education providers and students' unions must ensure that they comply with their legal duties on discrimination and harassment as well as their legal duties to protect freedom of speech.